

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

JAMES MORGAN WILLIAMS

**PLAINTIFF/
COUNTER-DEFENDANT**

VS.

CIVIL ACTION NO. 3:05CV110LN

HARTFORD LIFE INSURANCE COMPANY

**DEFENDANT/
COUNTER-CLAIMANT**

ORDER

This matter came before the court on a review of the docket, which revealed that the Defendant's Motion to Strike Plaintiff's Designation of Experts, which was filed on December 9, 2005, remained pending. The Motion contested the Plaintiff's designation of an expert witness in this claim for benefits under an Employee Welfare Benefit Plan established pursuant to the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §§ 1001 through 1461 (1999 & Supp. 2005). In ruling on an earlier Motion for Protective Order, the court held that matters outside the administrative record were not appropriate for review. The Plaintiff sought reconsideration of that Order, which was denied, and also applied to the District Judge for review of that decision. Unless and until the District Judge decides that the administrator abused his discretion in denying benefits in this matter, the undersigned is constrained to decline to permit further development of the record. Therefore, the Defendant's Motion to Strike will be granted.

IT IS, THEREFORE, ORDERED that Hartford's Motion to Strike Plaintiff's Designation of Experts is hereby **granted**.

IT IS SO ORDERED, this the 14th day of July, 2006.

S/James C. Sumner
UNITED STATES MAGISTRATE JUDGE